


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

AUG 09 2006

JOHN F. CORCORAN, CLERK
BY: 
DEPUTY CLERK

GEORGE DEREK KNIGHT,
Plaintiff,

v.

C/O R. HALL, et al.,
Defendants.

)
) Civil Action No. 7:05CV00551
)

) **FINAL ORDER**
)

) By: Hon. Glen E. Conrad
) United States District Judge

George Derek Knight, a Virginia inmate proceeding pro se, filed this civil rights action under 42 U.S.C. § 1983 on September 1, 2005. The defendants subsequently filed motions for summary judgment. By opinion and order entered April 20, 2006, the defendants' motions were granted in part and denied in part, and the plaintiff's remaining claim for excessive force was referred to United States Magistrate Judge Pamela Meade Sargent for appropriate proceedings, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge conducted an evidentiary hearing on May 15, 2006, and she has since submitted a report in which she recommends that the court find in favor of the defendants on the plaintiff's excessive force claim. The Magistrate Judge advised the parties that they had ten days to file any written objections to her report. The ten-day period has now expired, and no objections have been filed.

For the reasons stated in the Magistrate Judge's Report and Recommendation, and in the absence of any objections thereto, it is now

ORDERED

that the Report and Recommendation shall be and hereby is adopted in its entirety. See Wells v. Shriners Hospital, 109 F.3d 198, 199 (4th Cir. 1997) (failure to file written objections to a Report and Recommendation constitutes a waiver of the right to further contest those issues).

Accordingly, it is further

ORDERED

that judgment shall be and hereby is entered in favor of the defendants on the plaintiff's excessive force claim.

The Clerk is directed to strike this action from the active docket of the court and send certified copies of this order to the plaintiff and counsel of record for the defendants.

ENTER: This 8th day of August, 2006.

A handwritten signature in cursive script, likely of a United States District Judge, positioned above a horizontal line.

United States District Judge